

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
5:13-cv-00607-BO

CALLA WRIGHT, WILLIE J. BETHEL, )  
AMY T. LEE, AMYGALE L. WOMBLE, )  
BARBARA VANDENBERGH, JOHN G. )  
VANDENBERGH, AJAMU G. )  
DILLAHUNT, ELAINE E. DILLAHUNT, )  
LUCINDA H. MACKETHAN, WILLIAM )  
B. CLIFFORD, ANN LONG CAMPBELL, )  
GREG FLYNN, BEVERLY S. CLARK, )  
CONCERNED CITIZENS FOR )  
AFRICAN-AMERICAN CHILDREN, and )  
the WAKE CITIZENS ASSOCIATION )  
)  
Plaintiffs, )  
vs. )  
)  
THE STATE OF NORTH CAROLINA and )  
THE WAKE COUNTY BOARD OF )  
ELECTIONS )  
)  
Defendants. )

**MOTION TO DISMISS**

NOW COMES defendant Wake County Board of Elections, and pursuant to Fed.R.Civ.P. 12(b)(6) hereby moves the Court to dismiss this action on the grounds that the complaint fails to state claims upon which relief may be granted;

WHEREFORE, the defendant Wake County Board of Elections prays the Court dismiss this action with prejudice and grant any other relief the Court may deem appropriate.

Respectfully submitted this the 4<sup>th</sup> day of November 2013.

/s/ Roger A. Askew  
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/s/ Scott W. Warren

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**CERTIFICATE OF SERVICE**

I hereby certify that on I electronically filed the foregoing MOTION TO DISMISS and, I hereby further certify that pursuant to Local Civil Rule 5.1(b) counsel for all other parties are being served as registered users of CM/ECF as provided for in Local Civil Rule 5.1(e).

This the 4<sup>th</sup> day of November 2013.

/s/ Roger A. Askew

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